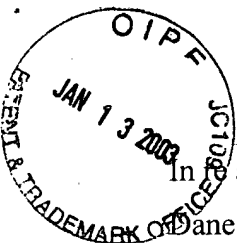


#18128
3/3/03

RECEIVED

JAN 16 2003

TECH CENTER 1600/2800



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Dane K. FISHER *et al.*

Appln. No.: 09/394,745

Filed: September 15, 1999

Title: **Nucleic Acid Molecules and Other
Molecules Associated with Plants**

Art Unit: 1637

Examiner: Young J. KIM

Atty. Docket: 16517.001/38-21(15454)B

**Notice of Appeal from the Examiner to the
Board of Patent Appeals and Interferences**

Commissioner for Patents
Washington, DC 20231

Sir:

Applicants hereby appeal to the Board of Patent Appeals and Interferences from the decision of the Examiner dated September 11, 2002, that resulted in Applicants having claims that have been twice or finally rejected.

Authorization to charge the official fees for this filing is given in the accompanying transmittal letter. A duplicate copy of this Notice is attached.

Respectfully submitted,

Thomas E. Kelley

Thomas E. Kelley (Reg. No. 29,938)
by David R. Marsh (Reg. No. 41,408)

uy

Date: January 13, 2003

MONSANTO COMPANY
62 Maritime Drive
Mystic, CT 06355-1958
(860) 572-5274 telephone
(860) 572-5240 facsimile

David R. Marsh

09394745

502367

00000030

CVS111

61/15/2003

320.00 CH

01 FC=1401